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such a statement is anything but enlightening. When, however, it is coupled with a clear explanation of the practical result of the technical distinction it becomes at once intelligible and useful.

All through this book a consistent effort is made to clear away the obstacles raised by archaic Norman-French terms and moth-eaten technicalities and the refinements of age-old reasoning, and in their place to introduce as their more vigorous offspring the modern principles which control the acquisition, enjoyment and disposition of real estate in the United States to-day.

We are a progressive people and our law is virile and constantly changing to meet the new conditions which are constantly arising in the nation's life. It is therefore a pleasure to meet with a book which not only fills a national want but is typical of national thought and national growth.

T. J. G.

A TREATISE ON AMERICAN CITIZENSHIP. By JOHN S. WISE, of the New York Bar. Northport, Long Island: Edward Thompson Company. 1906. Pp. vii, 340.

This volume belongs to the series of "Studies in Constitutional Law," of which series we noticed in the October, 1907, issue of the LAW REGISTER, Mr. McGehee's book on *Due Process of Law*. Its subject matter has for some time been in need of systematic treatment, and the present publication is intended to satisfy this need.

As citizenship, is stated to be "the status of a citizen with its rights and privileges," its meaning necessarily depends on the definition of a citizen which term is described as implying "membership of a political body in which the individual enjoys popular liberty to a greater or less degree." This definition suggests the method in which the subject is developed, the author first of all setting forth a historical resumé of the subject of citizenship in this country, treating it, as is necessary, in its dual aspect of citizenship of the United States and citizenship of a State. This is followed by an enumeration and discussion of the rights and obligations appertaining to the status, together with short chapters on the "Protection of Citizens Abroad" and "Expatriation."

There is an interesting discussion of the status of the inhabitants of the territory lately acquired by the United States, and its anomalous character as established by statute and decision is fully analyzed; but here as elsewhere in the book the treatment does not lay claim to being exhaustive, but presents

in clear manner a careful and readable summary of general principles.

The rights, privileges and immunities of citizens are enumerated at length, the decisions which establish and define them being cited in formidable numbers in the notes. However their full discussion could not fairly be expected in a book such as the present volume, since the result would be to carry the author too far afield and obscure the main purpose and subject matter of the discussion.

Like almost all the books printed by this publishing house, this volume is to be commended for the very excellent form in which the author's material is offered to the reader.

H. W. B.

THE LAW OF TORTS. By FRANCIS M. BURDICK, Dwight Professor of Law in Columbia University School of Law. Albany: Banks & Co. 1905. Pp. lxxx, 501.

Professor Burdick's book on Torts presents an admirable treatise within comparatively brief compass. Its purpose is to state concisely the rules of law on this subject and to expound the reasons for these rules as set forth in the decisions. Authorities are, of course, carefully cited, but consistent effort has been made to have the citations in point and decisive, and to avoid cumbering the book and annoying the reader with cases only remotely bearing upon the matter under discussion.

The classification is not novel, save that in the chapter of the book entitled "Harms that are not Torts," the principles which excuse or justify acts otherwise tortious are discussed; and in the treatment of particular torts the author avoids the order observed by some modern writers and makes his classification depend not on the motive, intent or state of mind of the wrong doer, but upon the sort of harm inflicted. He considers first the torts directed principally against the person of the victim, then those aimed at property and lastly those which are invasions of both personal and property rights.

Modern developments in tort law are carefully treated and special reference may be made in this connection to the discussion of "Unfair Competition" and to certain portions of the law of Negligence, particularly the section devoted to the "Liability of Land Owner or Occupier, and of Others Engaged in Extra Hazardous Undertakings." The influence of *Rylands v. Fletcher* is traced in its own and allied classes of cases, and the present state of the law is clearly set forth.

We might have expected, perhaps, to find some treatment of the Right of Privacy. In view of the comparatively recent growth of this branch of the law and the apparent propriety